

**BARBERING AND COSMETOLOGY EXAMINING BOARD  
MINUTES  
JUNE 5, 2006**

**PRESENT:** Mary Blake, Jeannie Bush, Howard Twait, Jeffrey Patterson, Janice Boeck

**EXCUSED:** Vera Harris, Rod Gottfredsen, Nancy Paggao

**STAFF PRESENT:** Tim Wellnitz, Bureau Director; Nicole Goodman, Bureau Assistant; Steve Gloe, General Counsel; Other Department Staff were present for portions of the meeting

**GUESTS:** Jeremy Levin, Jen Samuelson, Bonnie Paul, Kenneth D. Moore, Hafeezah Ahmad, Mary Pierce, Mary Pierce, Mary Kardoskee, Hilary Bennett, Mary Kiley, Michelle Krueger, Lauri Thomas, Connie Schulze, Rasaz Muldowney, Andi Burns, Sarah Kretzschwal, Allisian Barcher, Stephanie L. Kimerpchap, Kellie Nienow, Kaylign Koproruski, Kaythong Vilaysaric, Kelli Lukensmeyer, Lindsay Carroll, Joan Korntiz, Denise P. Trokan, Kathy Schauer, Hilary Bennett, Becky Wintrone, Susan Haise, Ann Marie Hoeppner, Annette Sather, Katy Barhn, Lorraine Botello, Mary Kardoskee, Mary Kiley, Michelle Krueger

**CALL TO ORDER**

Jeannie Bush, Chair, called the meeting to order at 9:44 a.m. A quorum of five members was present.

**AGENDA**

**MOTION:** Janice Boeck moved, seconded by Jeffrey Patterson, to adopt the agenda as written. Motion carried unanimously.

**APPROVAL OF MINUTES (04/03/2006)**

**MOTION:** Howard Twait moved, seconded by Janice Boeck, to approve the April 3, 2006 minutes as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT  
TIM WELLNITZ, BUREAU DIRECTOR**

Mr. Wellnitz informed the Board that Dennis Schuh has accepted a new position in the Department and Steve Gloe would be filling in today as Legal Counsel.

**Summary Reports on Pending Court Cases, Disciplinary Cases and Administrative Rules and Press Releases**

Noted.

**PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF ENFORCEMENT OR  
ANY THAT SUBMITTED AFTER PRINTING OF THE AGENDA**

The Division of Enforcement did not give a presentation for the following Stipulations:

1. Jeffrey L. Davis, Foster Adkins and Tight Edges 03 BAC 002
2. Annie M. Payne, New Age Hair Designs 03 BAC 084
3. Andre Ngoc Tran, Dung H. Nguyen and Hollywood Nails 03 BAC 117
4. Hair Cuttery #2115 04 BAC 072
5. Steven T. Pham and Regal Nails 04 BAC 081
6. Gail F. Schiefelbein GS & Hair Designers 04 BAC 088

## **LEGISLATIVE/ADMINISTRATIVE RULES UPDATE**

### **Review Draft of Proposed Rules Relating to Microdermabrasion and Chemical Skin Peels CR 05-118**

The Board reviewed the draft of proposed rules presented by Pamela Haack. The Board requested that Mr. Wellnitz add the nomination of a Credentialing Liaison to the next agenda. Later in the meeting Mary Blake stated that she was not aware of manicurists waxing in the rules and would have voted against the rules if she was aware of that.

**MOTION:** Janice Boeck moved, seconded by Jeffrey Patterson, to amend draft page 44 item (h) (1) to read: The training shall be conducted by a microdermabrasion trainer who has been a practicing aesthetics instructor or barbering and cosmetology instructor, aesthetician or barbering and cosmetology manager for a minimum of one year and who has completed a 40 hour course in microdermabrasion training provided by a licensed school of cosmetology or barbering or provided by a licensed school of aesthetics. A licensed physician may also provide treatment. Motion carried unanimously.

**MOTION:** Janice Boeck moved, seconded by Mary Blake, to amend draft page 47 under 4.08 (1) (c) by changing "trip" to "strip" and amend 4.08 (2) to read: Manicurists performing waxing shall have completed training in depilation by waxing in a school of barbering and cosmetology or manicuring school consisting of not less than 8 hours in all of the following areas: Motion carried unanimously.

**MOTION:** Janice Boeck moved, seconded by Jeffrey Patterson, to add: school of manicuring to the previous motion. Motion carried unanimously.

**MOTION:** Janice Boeck moved, seconded by Mary Blake, to remove from Section 37: An applicant who has practiced at least 4,000 hours in another state since the expiration of the applicant's Wisconsin license will not be required to pass the examination. Motion carried unanimously.

**MOTION:** Janice Boeck moved, seconded by Jeffrey Patterson, to approve the rules relating to microdermabrasion and chemical skin peels CR05-118 with the amendments made today and send the rule to the Legislature. Motion carried unanimously.

### **2005 Wisconsin Ave 314/SB 380 Relating to: the Barbering and Cosmetology Examining Board**

Mr. Wellnitz informed the Board that this bill has been signed into law by the Governor.

## **EXAMINATION AND EDUCATION**

**Discussion of Electrologist, Nail Technicians and Esthetician Apprenticeships**

Ken Moore, Workforce Development, met with the Board and discussed different requirements that need to be met in order to have an apprenticeship for Electrologist, Nail Technicians and Estheticians.

**Proposal for Training Aestheticians in Manicuring**

Darwin Tichenor discussed the Basali Dermal Institute's syllabus with the Board.

**MOTION:** Janice Boeck moved, seconded by Howard Twait, to accept the Basali Dermal Institute's conversion of hours from manicuring to aesthetics. Motion carried unanimously.

**TRAVEL**

**NIC Annual Conference, August 26-28, 2006 Portland, Maine**

**MOTION:** Jeffrey Patterson moved, seconded by Howard Twait, to nominate Janice Boeck to attend the NIC Conference, August 26-28, 2006 on Department funds. Motion carried unanimously.

The Board requested that Mr. Wellnitz add Janice Boeck's report on the NIC Conference to the next agenda.

**NABBA Annual Conference September 23-28, 2006 Denver, Colorado**

**MOTION:** Janice Boeck moved, seconded by Mary Blake, to allow Jeffrey Patterson to represent the Wisconsin Barber and Cosmetology Examining Board at the NABBA Annual Conference, September 23-28, 2006. Motion carried unanimously.

Mr. Patterson will attend the meeting at his own expense. The Board requested that Mr. Wellnitz add Jeffrey Patterson's report on the NABBA Annual Conference to the December agenda.

The Secretary spoke with the Board and asked that the designated board members bring back information that outlines the need for public health and public safety from the NIC Annual Conference and the NABBA Annual Conference. This information would be utilized in preparing a position paper that demonstrates the need for continuing education.

**NEW BUSINESS**

None.

**BOARD MEMBER ACTIVITY**

Jeannie Bush briefly reviewed topics discussed at the Continuing Education Committee meeting this morning.

The Board requested that Mr. Wellnitz add discussion of hair braiding and eyebrow waxing in manicuring salons to the next agenda.

### **VISITORS COMMENTS**

Several visitors expressed their concerns to the Board about microdermabrasion. The Board requested that Mr. Wellnitz add discussion of 4.02 (3) on the definition disinfection to the next agenda.

### **CONVENE TO CLOSED SESSION**

**MOTION:** Janice Boeck moved, seconded by Jeffrey Patterson, to convene to Closed Session to deliberate on cases involving hearings (s. 19.85 (11) (a), Stats.); to consider licensure or discipline (s. 19.85(1) (b), Stats. to consider individual histories or disciplinary data (s. 19.85(1) (f), Stats.); and to confer with legal counsel (s. 19.85(1) (g), Stats.). Roll Call Vote: Mary Blake-yes; Jeannie Bush-yes; Jeffrey Patterson-yes.; Janice Boeck-yes, Howard Twait-yes. Motion carried unanimously.

Open session recessed at 11:55 a.m.

### **RECONVENE INTO OPEN SESSION**

**MOTION:** Jeffrey Patterson moved, seconded by Janice Boeck, to reconvene into Open Session at 1:01 p.m. Motion carried unanimously.

### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

#### **CASE CLOSINGS AND CITATIONS**

**MOTION:** Howard Twait moved, seconded by Jeffrey Patterson, to close cases **05 BAC 094 and 04 BAC 072** and approve citations as Final Decision and Orders for cases **05 BAC 094 and 04 BAC 072**. Motion carried unanimously.

#### **CASE CLOSINGS**

**MOTION:** Jeffrey Patterson moved, seconded by Mary Blake, to close the following cases as presented by the Division of Enforcement. Motion carried unanimously.

<b>03 BAC 011</b>	prosecutorial discretion P7
<b>03 BAC 055</b>	prosecutorial discretion P7
<b>04 BAC 100</b>	prosecutorial discretion P7
<b>04 BAC 104</b>	no violation
<b>05 BAC 007</b>	insufficient evidence
<b>05 BAC 016</b>	insufficient evidence
<b>05 BAC 047</b>	prosecutorial discretion P7
<b>05 BAC 050</b>	no violation

No action was taken on item R, 05 BAC 053, and it will be brought back at the next meeting.

### **STIPULATIONS**

**MOTION:** Janice Boeck moved, seconded by Howard Twait, to accept the Stipulations, Findings of Facts, Conclusions of Law and Orders in the matters concerning **Jeffrey L. Davis, Foster Adkins and Tight Edges (03 BAC 002), Annie M. Payne, New Age Hair Designs (03 BAC 084), Andre Ngoc Tran, Dung H. Nguyen and Hollywood Nails (03 BAC 117), Hair Cuttery #2115 (04 BAC 072), Steven T. Pham and Regal Nails (04 BAC 081), Gail F. Schiefelbein GS & Hair Designers (04 BAC 088).** Motion carried unanimously.

### **ADMINISTRATIVE WARNINGS**

**MOTION:** Jeffrey Patterson moved, seconded by Janice Boeck, to approve the administrative warnings in the matter of **05 BAC 095.** Motion carried unanimously.

### **PROPOSED DECISION**

#### **HEAVENLY TOUCH HAIR & SPA SALON – 03 BAC 055**

**MOTION:** Howard Twait moved, seconded by Jeffrey Patterson, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order, in the matter concerning Heavenly Touch Hair & Spa Salon – 03 BAC 055. Motion carried unanimously.

### **REINSTATEMENT REQUESTS**

#### **REESASUE L. PIEPER**

**MOTION:** Janice Boeck moved, seconded by Howard Twait, to deny Reesasue L. Pieper's request for reinstatement of her manager's license and offer her a practitioner's license subject to the terms as discussed. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Howard Twait moved, seconded by Janice Boeck, to adjourn the meeting at 1:07 p.m. Motion carried unanimously.

**NEXT MEETING: SEPTEMBER 11, 2006**